

## United States District Court

United States District Court  
Southern District of Texas  
FILED

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

SEP - 2 2016

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Mariano FLORES-Benavides

Case Number: M-16-1653 -M

AKA:

IAE

YOB: 1973

Mexico

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about August 16, 2016 in Hidalgo County, inthe Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

being then and there an alien who previously has been deported from the United States to Mexico in pursuance of law, and thereafter was found near Edinburg, Texas within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)  
I further state that I am a(n) Deportation Officer and that this complaint is based on the following facts:

On August 16, 2016, Mariano FLORES-Benavides a citizen of Mexico was encountered by Immigration Officers at the Hidalgo County Jail in Edinburg, Texas. An immigration Detainer was placed upon the defendant and was subsequently remanded into the custody of Immigration and Customs Enforcement on September 2, 2016. Record checks revealed the defendant was formally removed from the United States to Mexico for the fourth (4th) time on April 2, 2010 via the Brownsville, Texas Port of Entry. The defendant was instructed not to return without permission from the Attorney General or the Secretary of Homeland Security of the United States. The defendant claims to have illegally re-entered the United States on or about February 13, 2012 by wading the Rio Grande River at or near Hidalgo, Texas. On June 16, 2008, the defendant was convicted of 8 USC 1326- Being found in the U.S. after previous deportation and sentenced to twenty-four (24) months and twenty (20) days to the custody of the United States Bureau of Prisons.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA T. Trevino

Signature of Complainant

Jessamyn Murphy

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

September 2, 2016  
Date

9:01 am

McAllen, Texas  
City and StatePeter E. Ormsby  
Name and Title of Judicial Officer

U.S. Magistrate Judge

Signature of Judicial Officer